



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD
FREEDOM OF INFORMATION ACT BRANCH
Washington, D.C. 20570

Via email

February 24, 2023

Re: FOIA Request NLRB-2023-000821

Dear Natasha Chen (CNN):

This is in response to your request, under the Freedom of Information Act (FOIA), 5 U.S.C. § 552, received on February 16, 2023, in which you seek "For case: 31-CA-291825...the new unfair labor practice charge, including the signed charge against the employer and initial letter to charged party on 2/9 and 2/10... [and] the latest consolidated complaint filed on 1/26." You assumed financial responsibility for the processing of your request in the amount of \$37.00.

We acknowledged your request on February 16, 2023. By email dated February 23, 2023, you were informed that the "new charge" you referenced was not in the requested case number but had been assigned a different case number, specifically Case No. 31-CA-311939.

A search of the Agency's electronic casehandling system, NxGen, has been conducted. This search located the requested records, including the latest consolidated complaint - Order Further Consolidating Cases, Second Consolidated Complaint and Notice of Hearing in *21st Century Valet Parking LLC d/b/a Star Garden*, Case No. 31-CA-291825, 31-CA-292239, 31-CA-293098, 31-CA-293599, 31-CA-303519, 31-CA-303537, 31-CA-292575, and 31-RC-301557; and a new unfair labor practice charge and initial letter to Charged Party in *21st Century Valet Parking LLC d/b/a Star Garden, SJPSC, LLC d/b/a Dreams Club, 603 Investments, LLC, and Burlesque Enterprise, Inc. d/b/a Burlesque, all entities operating together as a single employer, joint employer, and/or alter ego*, Case No. 31-CA-311939, which are attached.

After a review, I have determined that portions of the attached records are exempt from disclosure under Exemptions 6 and 7(C) of the FOIA (5 U.S.C. § 552(b)(6) and (b)(7)(C)). Specifically, redactions have been made to protect the privacy interests of individuals named in the records. These redactions were made pursuant to FOIA Exemption 6, which pertains to information the release of which would constitute a clearly unwarranted invasion of personal privacy, and FOIA Exemption 7(C), which pertains to records or information compiled for law enforcement purposes, the release of which could reasonably be expected to

constitute an unwarranted invasion of personal privacy. 5 U.S.C. § 552(b)(6) and (b)(7)(C). Also, certain evidentiary information on the second page of the attached charge is being redacted pursuant to Exemption 7(A), so as not to cause harm or interfere with the ongoing investigation into the charge allegations. 5 U.S.C. § 552(b)(7)(A).

For the purpose of assessing fees, we have placed you in Category C, as a representative of the news media, in that you qualify as a person “actively gathering news for an entity that is organized and operated to publish or broadcast news to the public.” NLRB Rules and Regulations, 29 C.F.R. § 102.117(d)(1)(vii). Accordingly, there is no charge assessed for this request.

You may contact William T. Hearne, the FOIA Attorney-Advisor who processed your request, at (202) 273-0139 or by email at william.hearne@nrlb.gov, as well as the Agency’s FOIA Public Liaison, for any further assistance and/or to discuss any aspect of your request. The FOIA Public Liaison, in addition to the FOIA Specialist or Attorney-Advisor, can further explain responsive and releasable agency records, suggest agency offices that may have responsive records, and/or discuss how to narrow the scope of a request in order to minimize fees and processing times. The contact information for the FOIA Public Liaison is:

Kristine M. Minami, FOIA Public Liaison
National Labor Relations Board
1015 Half Street, S.E., 4th Floor
Washington, D.C. 20570
Email: FOIAPublicLiaison@nrlb.gov
Telephone: (202) 273-0902
Fax: (202) 273-FOIA (3642)

After first contacting the Agency, you may additionally contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA dispute resolution services it offers. The contact information for OGIS is:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road-OGIS
College Park, Maryland 20740-6001
Email: ogis@nara.gov
Telephone: (202) 741-5770
Toll free: (877) 684-6448
Fax: (202) 741-5769

You may obtain a review of this determination under the NLRB Rules and Regulations, 29 C.F.R. § 102.117(c)(2)(v), by filing an administrative appeal with the Division of Legal Counsel (DLC) through FOIAonline at: <https://foiaonline.gov/foiaonline/action/public/home> or by mail or email at:

Nancy E. Kessler Platt, Chief FOIA Officer
National Labor Relations Board
1015 Half Street, S.E., 4th Floor
Washington, D.C. 20570
Email: DLCFOIAAppeal@nrlrb.gov

Any appeal must be postmarked or electronically submitted within 90 calendar days of the date of this letter. Any appeal should contain a complete statement of the reasons upon which it is based.

Please be advised that contacting any Agency official (including the FOIA Specialist, Attorney-Advisor, FOIA Officer, or the FOIA Public Liaison) and/or OGIS does not stop the 90-day appeal clock and is not an alternative or substitute for filing an administrative appeal.

Sincerely,

/s/ Synta E. Keeling

Synta E. Keeling
FOIA Officer

Attachment: (22 pages)